THE HON'BLE MR JUSTICE B. PRAKASH RAO

AND

THE HON'BLE MR JUSTICE P. LAKSHMANA REDDY

WRIT APPEAL No.2619 of 2005

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JUDGMENT: (PER THE HONOURABLE BPR,J)

Heard both sides and at their request the main appeal itself is taken up for disposal.

The appellant seeks to assail the order, dated 14.07.2005, passed in WPMP.No.7642 of 2005 in WP.No.9756 of 2000, wherein the application for condonation of delay in filing the petitions to set aside the order, dated 19.04.2004, passed in WPMP.Nos.7754 of 2004 and 10367 of 2004 in WP.No.9756 of 2000, was rejected.

Learned counsel for the appellant submits that the learned Single Judge rejected the applications on the ground that the main writ petition was disposed of on merits on 24.01.2003 and the very petition in WPMP.No.7754 of 2004 to condone the delay of 395 days was also dismissed on 19.04.2004, therefore, the petition filed to condone the delay in filing the petitions to set aside the order, dated 19.04.2004 is not maintainable.

Having regard to the facts and circumstances of the case, it is always open for the appellant herein to prefer an appeal against the main order, dated 24.01.2003, and the same can be disposed of on merits.

Accordingly, the writ appeal is dismissed. No costs.

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B. PRAKASH RAO, J

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P. LAKSHMANA REDDY, J

Date: 24.01.2006

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